

### REMARKS

Applicants acknowledge the current status of the claims, as reported in Office Action dated 02 August 2005. Claims 1-95 are pending; claims 9-10 are canceled, claims 5-8, 11, and 32-88 are withdrawn from consideration; claim 4 is allowed; and claims 1-3, 9, 12-31 and 89-95 are under consideration.

Applicants thank the Examiner for the courtesy of Examiner's interviews, conducted on 13 October 2005 and 02 November 2005, to discuss the bases of the outstanding rejections to Applicants' application. These interviews form the bases for the present remarks.

Applicants cancel claims 1-3, and 89-95 without prejudice. Applicants add new claim 96 directed to a dual-specificity antibody, or antigen-binding portion thereof, that specifically binds interleukin-1 $\alpha$  and interleukin-1 $\beta$  wherein in the dual-specificity antibody, or antigen-binding portion is capable of binding an antigen comprising the amino acid sequence TKGGQDITDFQILENQ (SEQ ID NO: 3). Applicants also add new claims 97-104 which depend from new claim 96 and are directed to specific aspects of the dual-specificity antibody of claim 96. This amendment is supported throughout the specification as filed, including Example 4 on pages 49-50, and no new matter is added. These amendments are made solely to advance examination of the present application to allowance. Applicants reserve the right to prosecute the original subject matter in a later-filed continuation application, which properly claims the benefit of this application.

Reconsideration and allowance of the pending claims in light of the following remarks are respectfully requested.

#### **Withdrawal of claim rejections:**

Applicants acknowledge Examiner's withdrawal of rejection of claims 1-4, 9, 12-31 and 89-95 under 35 USC §103(a) as being unpatentable over Luger et al. in view of references disclosing specific methods for generating antibodies, and, the rejection of claims 4 and 9 under 35 USC § 112, first paragraph, as lacking enablement commensurate with the scope of the claims, in view of Applicant's amendment to claim 4 and cancellation of claim 9.

#### **Rejections under 35 USC §103(a)**

In the Office Action at pages 3-13, paragraphs 3-14, the Examiner has rejected claims 1-3, 12-31 and 89-95 under 35 USC §103(a) as being unpatentable over Luger et al., in view of references disclosing specific methods for generating antibodies.

Solely to advance examination of the present application to allowance, and without in any way acquiescing to the reasons for the present rejection, Applicants hereby cancel claims 1-3 and 89-95. Applicants reserve the right to prosecute the original subject matter in a later-filed continuation application, which properly claims the benefit of this application.

As discussed, and agreed upon in the Examiner's interview, Claims 12-30 depend from allowed claim 4 and recite further limitations to the method of claim 4. Claim 31 is directed to the product derived from the method of allowed claim 4.

In view of the foregoing amendments and remarks, Applicants assert that the rejection is rendered moot, and therefore, respectfully request reconsideration, and removal of the rejection of claims 1-3, 12-31 and 89-95 under 35 USC §103(a).

**Rejections under 35 USC §112, first paragraph**

In the Office action at page 13, paragraph 15, claims 1-3, 12-31 and 89-95 are rejected under 35 USC § 112, first paragraph as lacking enablement commensurate with the scope of the claims.

As stated above, solely to advance examination of the present application to allowance, and without in any way acquiescing to the reasons for the present rejection, Applicants hereby cancel claims 1-3 and 89-95. Applicants reserve the right to prosecute the original subject matter in a later-filed continuation application, which properly claims the benefit of this application.

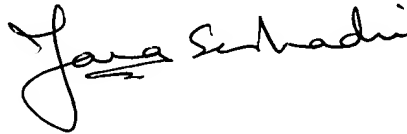
As discussed, and agreed upon in the Examiner's interview, claims 12-30 depend from allowed claim 4 and recite further limitations to the method of claim 4. Claim 31 is directed to the product derived from the method of allowed claim 4.

In view of the foregoing amendments and remarks, Applicants assert that the rejection is rendered moot, and therefore, respectfully request reconsideration, and withdrawal of the rejection of claims 1-4, 12-31 and 89-95 under 35 USC § 112, first paragraph.

**Conclusion**

In view of the foregoing remarks, Applicants believe that all objections and rejections set forth in the Office Action of 09 May 2005 have been avoided or overcome, and consequently the application is in condition for allowance. Reconsideration and removal of the rejections, and allowance of the pending amended claims are, therefore, respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tara Seshadri". The signature is fluid and cursive, with the first name "Tara" being more prominent and the last name "Seshadri" following in a similar style.

Tara Seshadri, Ph.D.  
Registration No. 48,591  
Agent for Applicants